



Billing Code 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. PF13-15-000]

Texas Eastern Transmission, LP; Notice of Intent to Prepare an Environmental Assessment for the Planned Ohio Pipeline Energy Network Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the Ohio Pipeline Energy Network Project (Project) involving construction and operation of facilities by Texas Eastern Transmission, LP (Texas Eastern) in Belmont, Carroll, Columbiana, Jefferson, and Monroe Counties, Ohio. The Commission will use this EA in its decision-making process to determine whether the Project is in the public convenience and necessity.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies on the Project. Your input will help the Commission staff determine what issues they need to evaluate in the EA. Please note that the **scoping period will close on September 30, 2013.**

You may submit comments in written form or verbally. Further details on how to submit written comments are in the Public Participation section of this notice. In lieu of or in addition to sending written comments, the Commission invites you to attend either of the FERC public scoping meetings scheduled for the Project as follows:

**Monday
September 16, 2013
7:00 PM EDT**

**Edison High School
9890 State Route 152
Richmond, OH 43944**

**Tuesday
September 17, 2013
7:00 PM EDT**

**J.B. Martin Recreation Center
102 Fair Avenue
St. Clairsville, OH 43650**

The public meetings are designed to provide you with more detailed information and another opportunity to offer your comments on the planned project. Texas Eastern representatives will be present one hour before each meeting to describe their proposal, present maps, and answer questions. Interested groups and individuals are encouraged to attend the meetings and to present comments on the issues they believe should be addressed in the EA. A transcript of each meeting will be made so that your comments will be accurately recorded.

This notice is being sent to the Commission's current environmental mailing list for this Project. State and local government representatives should notify their constituents of this planned Project and encourage them to comment on their areas of concern. If you are a landowner receiving this notice, a pipeline company representative

may contact you about the acquisition of an easement to construct, operate, and maintain the planned facilities. The company would seek to negotiate a mutually acceptable agreement. However, if the Commission approves the Project, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings where compensation would be determined in accordance with state law.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" is available for viewing on the FERC website (www.ferc.gov). This fact sheet addresses a number of typically-asked questions, including the use of eminent domain and how to participate in the Commission's proceedings.

Summary of the Planned Project

Texas Eastern plans to expand its existing Texas Eastern system by constructing 73.44 miles of new 30-inch-diameter pipeline to provide additional natural gas transportation to markets in the Midwest, Southeast, and Gulf Coast. The planned Project would provide an additional 550,000 dekatherms per day of natural gas from Texas Eastern's proposed Kensington Receipt Meter and Regulator Station in Columbiana County, Ohio to the proposed terminus where it would tie into Texas Eastern Lines 25 and 30.

The Project would include construction and operation of the following facilities:

- Approximately 73.44 miles of new 30-inch-diameter natural gas pipeline in Belmont, Carroll, Columbiana, Jefferson, and Monroe Counties, Ohio;
- One new compressor station and one new meter & regulator station in Jefferson County, Ohio;
- Two new meter & regulator stations in Columbiana County, Ohio;
- One new regulator station in Monroe County, Ohio;
- Modifications to existing compressor stations to allow bi-directional flow on Texas Eastern's system in Scioto County, OH, Monroe County, KY, Hinds and Jefferson Counties, MS, and West Feliciana Parish, LA; and
- Other appurtenant and ancillary facilities.

The general location of the Project facilities is shown in Appendix 1.¹

Texas Eastern plans to file an application with FERC in January of 2014, and to initiate construction of the Project in February 2015 and complete construction in November 2015.

¹ The appendices referenced in this notice will not appear in the Federal Register. Copies of the appendices were sent to all those receiving this notice in the mail and are available at www.ferc.gov using the link called "eLibrary" or from the Commission's Public Reference Room, 888 First Street NE., Washington, DC 20426, or call (202) 502-8371. For instructions on connecting to eLibrary, refer to the last

Land Requirements for Construction

Construction of the planned facilities would disturb about 1,300 acres of land for the pipeline and aboveground facilities.² Following construction, Texas Eastern would maintain about 445 acres for permanent operation of the Project's facilities; the remaining acreage would be restored and revert to former uses. About 46 percent, or 33.6 miles, of the proposed new pipeline would be collocated with an existing transmission line or pipeline corridors, maximizing the use of previously disturbed rights-of-way to the extent practicable.

The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us³ to discover and address concerns the public may have about proposals. This process is referred to as "scoping". The main goal of the scoping process is to focus the

page of this notice.

² Texas Eastern is still evaluating the need for temporary and permanent access roads; therefore, additional lands disturbed for these project components would be in addition to that reported within this notice.

³ "We," "us," and "our" refer to the environmental staff of the Commission's Office of Energy Projects.

analysis in the EA on the important environmental issues. By this notice, the Commission requests public comments on the scope of the issues to address in the EA. We will consider all filed comments during the preparation of the EA.

In the EA, we will discuss impacts that could occur as a result of the construction and operation of the planned Project under these general headings:

- Geology and soils;
- Water resources;
- Wetlands and vegetation;
- Fish and wildlife;
- Threatened and endangered species;
- Land use, recreation, and visual resources;
- Air quality and noise;
- Cultural resources;
- Socioeconomics;
- Reliability and safety; and
- Cumulative environmental impacts.

We will also evaluate possible alternatives to the planned Project or portions of the Project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

Although no formal application has been filed, we have already initiated our NEPA review under the Commission's pre-filing process. The purpose of the pre-filing process is to encourage early involvement of interested stakeholders and to identify and resolve issues before the FERC receives an application. As part of our pre-filing review, we have begun to contact federal and state agencies to discuss their involvement in the scoping process and the preparation of the EA.

Our independent analysis of the issues will be presented in the EA. The EA will be placed in the public record and, depending on the comments received during the scoping process, may be published and distributed to the public. A comment period will be allotted if the EA is published for review. We will consider all comments on the EA before we make our recommendations to the Commission. To ensure your comments are considered, please carefully follow the instructions in the Public Participation section beginning on page 6.

With this notice, we are asking agencies with jurisdiction by law and/or special expertise with respect to the environmental issues related to this Project to formally

cooperate with us in the preparation of the EA.⁴ Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the Public Participation section of this notice. Currently the U.S. Fish and Wildlife Service has expressed their intention to participate as a cooperating agency in the preparation of the EA to satisfy their NEPA responsibilities related to this Project.

Consultations Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, we are using this notice to initiate consultation with the Ohio Historic Preservation Office, and to solicit their views and those of other government agencies, interested Indian tribes, and the public on the Project's potential effects on historic properties.⁵ We will define the Project-specific Area of Potential Effect in consultation with the State Historic Preservation Officer (SHPO) as the Project develops. On natural gas facility projects, the Area of Potential Effect at a minimum encompasses all areas subject to ground disturbance (examples include the construction right-of-way, contractor/pipe storage yards, compressor stations, and access roads). Our EA for this Project will document our

⁴ The Council on Environmental Quality regulations addressing cooperating agency responsibilities are at Title 40, Code of Federal Regulations, part 1501.6.

⁵ The Advisory Council on Historic Preservation regulations are at Title 36, Code of Federal Regulations, part 800. Those regulations define historic properties as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places.

findings on the impacts on historic properties and summarize the status of consultations under section 106.

Currently Identified Environmental Issues

We have already identified several issues that we think deserve attention based on a preliminary review of the planned facilities and the environmental information provided by Texas Eastern. This preliminary list of issues may change based on your comments and our analysis:

- Potential impacts on perennial and intermittent waterbodies, including waterbodies with federal and/or state designations/protections;
- Evaluation of temporary and permanent impacts on wetlands and the development of appropriate mitigation;
- Potential impacts on fish and wildlife habitat, including potential impacts on federally and state-listed threatened and endangered species;
- Potential effects on prime farmland and highly erodible soils;
- Potential visual effects of the aboveground facilities;
- Potential impacts and potential benefits of construction workforce on local housing, infrastructure, public services, and economy; and

- Impacts on air quality and noise associated with construction and operation of the Project.

Public Participation

You can make a difference by providing us with your specific comments or concerns about the Project. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. The more specific your comments, the more useful they will be. To ensure that your comments are timely and properly recorded, please send your comments so that the Commission receives them in Washington, DC on or before **September 30, 2012**. This is not your only public input opportunity; please refer to the Environmental Review Process flow chart in Appendix 2.

For your convenience, there are three methods you can use to submit your comments to the Commission. In all instances, please reference the Project docket number (PF13-15-000) with your submission. The Commission encourages electronic filing of comments and has expert staff available to assist you at (202) 502-8258 or efiling@ferc.gov.

- (1) You can file your comments electronically using the [eComment](#) feature located on the Commission's website (www.ferc.gov) under the link to [Documents and Filings](#). This is an easy method for interested persons to submit brief, text-only comments on a project;
- (2) You can file your comments electronically using the [eFiling](#) feature located on the Commission's website (www.ferc.gov) under the link to [Documents and Filings](#). With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on “[eRegister](#).” You must select the type of filing you are making. If you are filing a comment on a particular project, please select “Comment on a Filing”; or
- (3) You can file a paper copy of your comments by mailing them to the following address:

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

Environmental Mailing List

The environmental mailing list includes federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who are potential right-of-way grantors, whose property may be used temporarily for Project purposes, or who own homes within certain distances of aboveground facilities, and anyone who submits comments on the Project. We will update the environmental mailing list as the analysis proceeds to ensure that we send the information related to this environmental review to all individuals, organizations, and government entities interested in and/or potentially affected by the planned Project.

If we publish and distribute the EA, copies will be sent to the environmental mailing list for public review and comment. **If you would prefer to receive a paper copy of the document instead of the CD version or would like to remove your name from the mailing list, please return the attached Information Request (Appendix 3).**

Becoming an Intervenor

Once Texas Eastern files its application with the Commission, you may want to become an “intervenor,” which is an official party to the Commission’s proceeding. Intervenor play a more formal role in the process and are able to file briefs, appear at hearings, and be heard by the courts if they choose to appeal the Commission’s final ruling. An intervenor formally participates in the proceeding by filing a request to intervene. Instructions for becoming an intervenor are in the User’s Guide under the “e-filing” link on the Commission’s website. Please note that the Commission will not accept requests for intervenor status at this time. You must wait until the Commission receives a formal application for the Project.

Additional Information

Additional information about the Project is available from the Commission’s Office of External Affairs, at **(866) 208-FERC**, or on the FERC website (www.ferc.gov) using the eLibrary link. Click on the eLibrary link, click on “General Search” and enter the docket number, excluding the last three digits in the Docket Number field (i.e., PF13-15). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at FercOnlineSupport@ferc.gov or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659. The eLibrary link also provides access to the texts of

formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to www.ferc.gov/esubscribenow.htm.

Finally, public meetings or site visits will be posted on the Commission's calendar located at www.ferc.gov/EventCalendar/EventsList.aspx along with other related information.

A website for the Project can be viewed at <http://qa.spectraenergy.com/Operations/New-Projects/Ohio-Pipeline-Energy-Network/>

To request additional information on the proposed Project or to provide comments directly to the Project sponsor, you can contact:

Susan Waller

VP Stakeholder Outreach & Sustainability

Spectra Energy

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sdwaller@spectraenergy.com

Dated: August 29, 2013.

Kimberly D. Bose,

Secretary.

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